

REMARKS

Claims 1-8 are pending in this application. Claims 1-8 were rejected. Claims 1-5 and 7-8 have been amended and claim 9 has been added by the present amendment. Claim 6 has been canceled without prejudice. The Examiner's reconsideration of the rejections is respectfully requested in view of the above amendment and the following remarks.

Applicants gratefully acknowledge the Examiner's indication that claims 2-4, 6 and 8 would be allowable if rewritten to overcome the rejection(s) under 35 U.S.C. 112, 2nd paragraph, set forth in the Office Action and to include all of the limitations of the base claim and any intervening claims.

REJECTIONS UNDER 35 U.S.C. § 112:

Claims 1-8 stand rejected under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicants regard as the invention, for the reason set forth on pages 2-3 of the Office Action.

As for claim 1, the Examiner states that "using a cylindrical cam" is vague since it cannot be determined if the assist device is positively claiming the cam, functionally reciting the cam, or if the cam is part of the device. The Examiner also states that "a sac" is vague since it cannot be determined if this is the same blood sac or a different sac. The Examiner also states that "itself" is vague since the word does not specifically state what element "itself" refers to.

Applicants have amended claim 1 to address all issues raised by Examiner.

As for claim 2, the Examiner states that “its” is vague. The Examiner further states that “a cylindrical cam” is vague since it cannot be determined if this is the same cam listed in claim 1, line 1, or a different cam.

Applicants have amended claim 2 to address all issues raised by Examiner.

As for claim 5, the Examiner states that “the rear cover” lacks antecedent basis. The Examiner also states that “the cylindrical cam...a linearly reciprocating motion” is vague since claim 1 has not positively recited the cam or its linearly reciprocating motion.

Applicants have amended claim 5 to depend from claim 2 and to address all other issues raised by Examiner.

As for claims 7 and 8, the Examiner states that “the outer circumferential surface” lacks antecedent basis.

Applicants have amended claims 7 and 8 to address all issues raised by Examiner.

Accordingly, applicants respectfully submit that the amended claims satisfy the requirements under 35 U.S.C. § 112. Therefore, applicants respectfully request that the rejection under 35 U.S.C. § 112, second paragraph, be withdrawn.

Rejections under 35 U.S.C. § 102

Claims 1 and 5 were rejected under 35 U.S.C. § 102(b) as being anticipated by Chaireire et al. (U.S. Patent No. 4,822,356).

Applicants respectfully submit that claims 1 and 5 are not anticipated by Chaireire for at least the reason that Chaireire does not disclose or suggest “a planetary gear assembly for reducing a torque of a motor”, as recited in amended claim 1. In contrast, Chaireire does not show a planetary gear assembly to reduce a torque of a motor and instead discloses a helical spring (53) to reduce power of a motor. (See., col. 9, lines 46-

52; Fig. 16). Therefore, Applicants respectfully submit that claim 1, as amended, is not anticipated by Chareire.

For at least the reason that claim 5 ultimately depends from claim 1 and includes the elements of independent claim 1, claim 5 is also submitted not to be anticipated by the cited reference. Further, claim 5 has been amended to depend from allowable claim 2.

Therefore, Applicants respectfully request that the Examiner withdraw the rejection of claims 1 and 5 under 35 U.S.C. § 102(b) and claims 1 and 5 are in condition for allowance.

Claims 1 and 5 were rejected under 35 U.S.C. § 102(b) as being anticipated by Miyata (U.S. Patent No. 5,041,132).

Applicants respectfully submit that claims 1 and 5 are not anticipated by Miyata for at least the reason that Miyata does not disclose or suggest “a planetary gear assembly for reducing a torque of a motor”, as recited in amended claim 1. Miyata does not disclose a device to reduce a torque of a motor. Therefore, Applicants respectfully submit that claim 1, as amended, is not anticipated by Miyata.

For at least the reason that claim 5 ultimately depends from claim 1 and includes the elements of independent claim 1, claim 5 is also submitted not to be anticipated by the cited reference. Further, claim 5 has been amended to depend from allowable claim 2.

Therefore, Applicants respectfully request that the Examiner withdraw the rejection of claims 1 and 5 under 35 U.S.C. § 102(b) and claims 1 and 5 are in condition for allowance.

New Claim 9

Applicants respectfully submit that new claim 9 for consideration and that new claim 9 is patentable over the cited references for at least the reason that new claim 9 recites “a minor axis, including a vessel-shaped fixing portion, and a cylindrical portion within which a pair of rollers are mounted on a predetermined position, while having a large cylindrical shape with respect to the fixing portion” and “a cylindrical cam which is inserted into the cylindrical portion of the minor axis, combined with the pusher plate, provided with a double cam groove along which the rollers move on an outer circumferential surface of the minor axis, and performs a linearly reciprocating motion according to the rotation of the minor axis”, which are not disclosed by the cited references.

For the foregoing reasons, the present application, including claims 1-5 and 7-8 and new claim 9, is believed to be in condition for allowance. The Examiner’s early and favorable action is respectfully requested. The Examiner is invited to contact the undersigned if he has any questions or comments in this matter.

Respectfully submitted,



Michael F. Morano
Reg. No. 44,952
Attorney for Applicant(s)

F. Chau & Associates, LLC
130 Woodbury Road
Woodbury, New York 11797
TEL: (516) 692-8888
FAX: (516) 692-8889